

REMARKS

This communication is a full and timely response to the Restriction Requirement set forth in the Office Action mailed February 17, 2005. Reconsideration and reexamination are respectfully requested.

Priority

It is noted that the claim to priority and receipt of all of the certified copies of the priority documents are acknowledged.

Specification

Changes to the specification have been made to address minor matters of form. The Substitute Specification filed on December 21, 2004 contained inadvertent changes to paragraphs 46 and 60. The current corrections to paragraphs 46 and 60 are to place these inadvertent changes in their original form. No new matter has been added.

Drawings

Changes are made to 1B, 10A to 10C and Fig. 14A and 14B as shown on the attached sheets. In particular, Fig. 14A and 14B has been amended to add the legend "Prior Art" as requested by the Examiner. This change is responsive to the points raised in section 4 on page 3 of the Action. Claims 4 and 5 are canceled and claim 3 included in claim 1 in a way that avoids the offending recitation of a motherboard.

Claims 6 to 11

Method claims 6 to 11 are here cancelled in favor of their presentation in the divisional application filed as of right, i.e. Application No. 11,052,929, filed February 9, 2005. This cancellation is without acquiescence in the treatment of the election as without traverse. The Applicant would be entitled to rejoinder for the method claims under MPEP 814.02 if any product claim is allowed, under the conditions there stated. Nevertheless, the point is moot given the filing of the divisional application.

Information Disclosure Statement

It appears that the examiner wishes to have a Form PTO-1449 for the single document mentioned in the specification as submitted contemporaneously with the election response. Accordingly, that form is provided including the information referred to in 37 CFR 1.98(e)(1). Please consider that document and make its consideration of record. While it is believed that no fee is required to overcome that inadvertence, the undersigned hereby authorizes a fee if necessary to ensure consideration of that document when considering this response. A duplicate copy of the authorization is submitted.

New Claims

Support for new claim 12 can be found variously throughout the specification, including, for example, page 9, line 12, to page 10, line 23 of the Substitute Specification filed on December 21, 2004. Since this new claim is clearly distinguishable from the applied art of record, allowance of the same is courteously solicited.

Section 112 rejection of claims 3 to 5

As noted above, claims 4 and 5 are cancelled obviating this rejection. To the extent that the rejection may still apply to amended claim 1 including a revised statement of the subject matter of claim 3, the antecedent basis for "said package" is avoided, and reference to a motherboard is also avoided.

Section 102 anticipation rejection of claims 1 to 5

In the Action, claims 1 to 5 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 6,247,955 to Satoh. ("Satoh"). This rejection is respectfully traversed. Claims 1 to 3 are combined in a way that avoids the stated anticipation rejection. Likewise, as noted above, claims 4 and 5 are cancelled obviating this rejection.

A main purpose of the Applicant's invention is to provide a quite thin flat type vibration motor having a thin metal plate 12 (such as an aluminum plate and the like, as described in paragraph [0054] at page 13) having a radial bearing and a thrust bearing on it and a single sided flexible printed circuit board 3 protruded from the package (cover) as in original claim 3, referring to Figs. 1A, 1B and 12A. In contrast, Satoh describes a substrate (a printed circuit

board (41)) that is a rather thick double sided printed circuit board which has no flexibility and is located within the cover (44) so as not to protrude. Further, although Satoh arguably describes the double sided motor printed circuit board (41) and a main body printed circuit board (9) that contains radio and receiving circuitry, Satoh fails to teach or suggest at least a bottom plate, to which a radial bearing is fixed, that supports a substrate containing a driving torque generating coil and driving electronic parts as recited in claim 1.

Accordingly, because Satoh fails to disclose, teach or suggest each and every limitation of claims 1 to 3 as combined and now presented, a *prima facie* anticipation rejection has not been established, and withdrawal of this rejection is respectfully requested. *See, e.g., Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987) (“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference”).

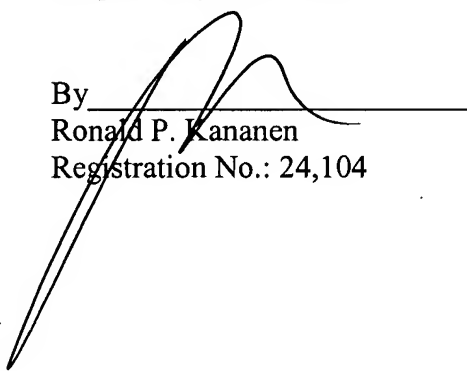
Conclusion

For at least the foregoing reasons, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the examiner is respectfully requested to pass this application to issue. If the examiner has any comments or suggestions that could place this application in even better form, the examiner is invited to telephone the undersigned attorney at the below-listed number.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. SON-2781 from which the undersigned is authorized to draw.

Respectfully submitted,

Dated: May 12, 2005

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Attachments: Replacement Sheet for Figure 1B
Replacement Sheet for Figures 10A to 10C
Replacement Sheet for Figures 14A and 14B
Form PTO-1449

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AMENDMENTS TO THE DRAWINGS

Three (3) attached sheets of drawings include changes to Fig. 1B, 10A to 10C, and 14A and 14B. The changes to these Figures are as follows.

Sheet 1 includes Fig. 1B – the structure of the bottom plate 12, shaft 5, radial bearing 13 and thrust bearing 14 is harmonized with the method of manufacture, particularly as shown in Figs. 7 to 10, for example.

Sheet 2 includes Fig. 10A to 10C – the drawings are changed to show the shaft 5 and radial bearing 13 accurately relative to the bottom plate 12.

Sheet 3 includes Fig. 14A and 14B – Please add the legend -- PRIOR ART --



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FIG.1A

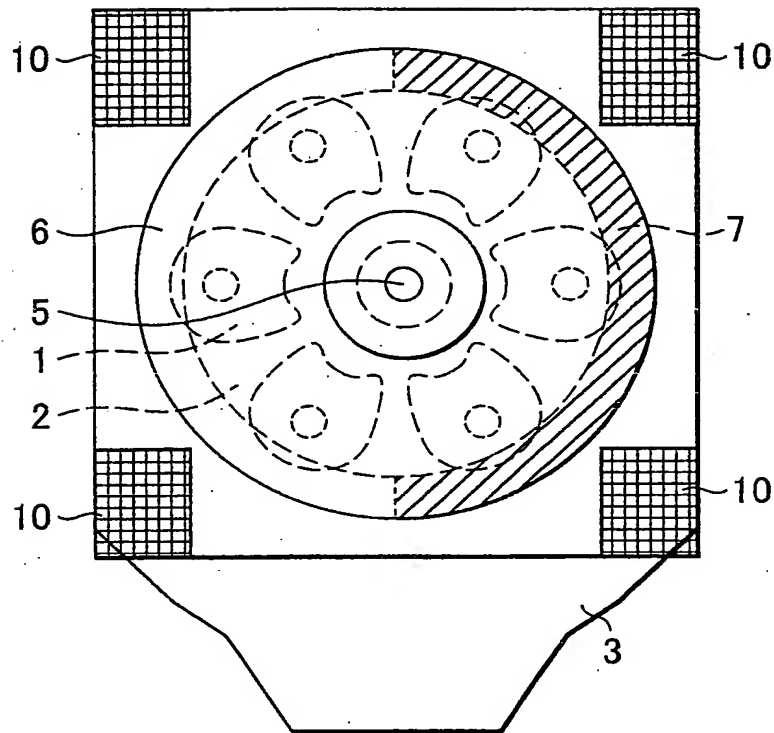


FIG.1B

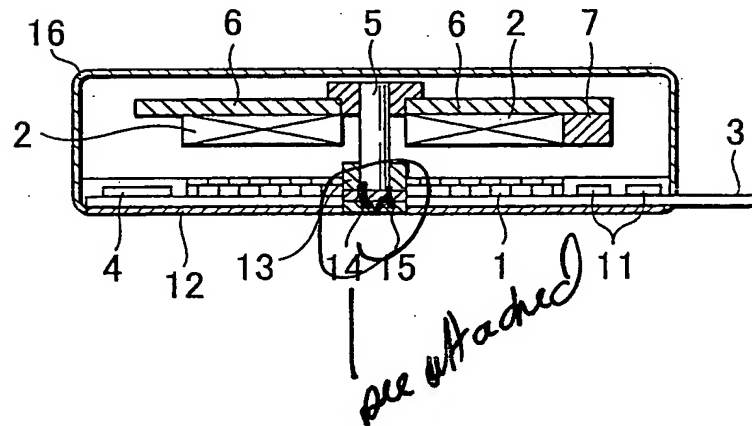
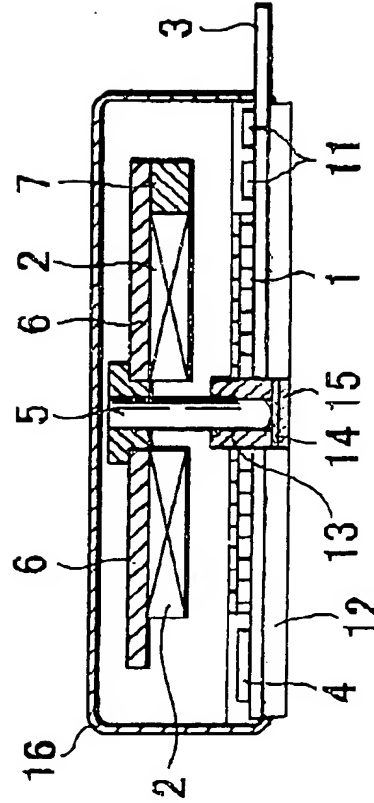




FIG.1B



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Drawings
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FIG.10A

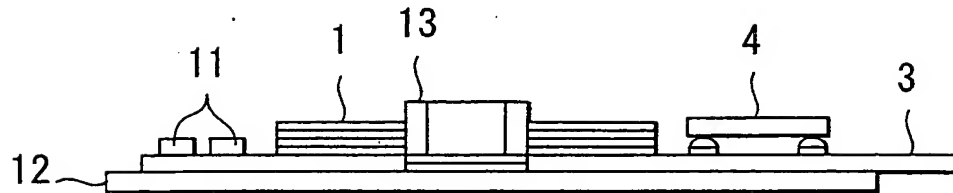


FIG.10B

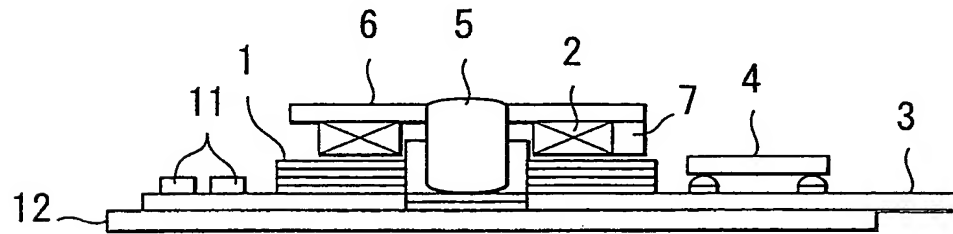
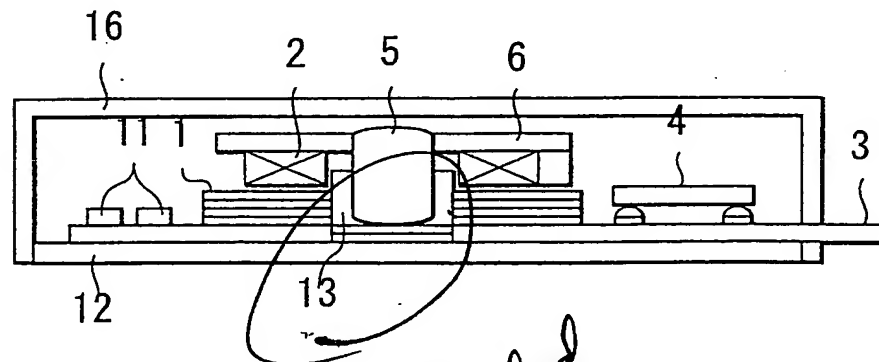
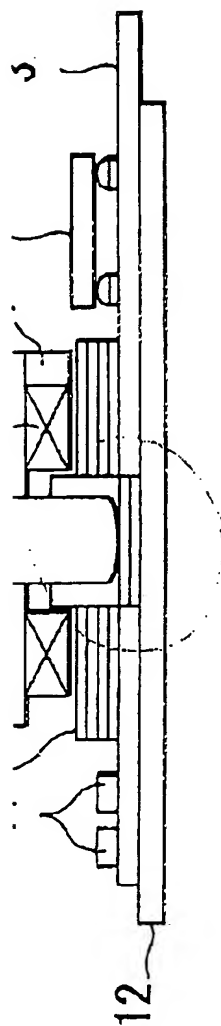


FIG.10C



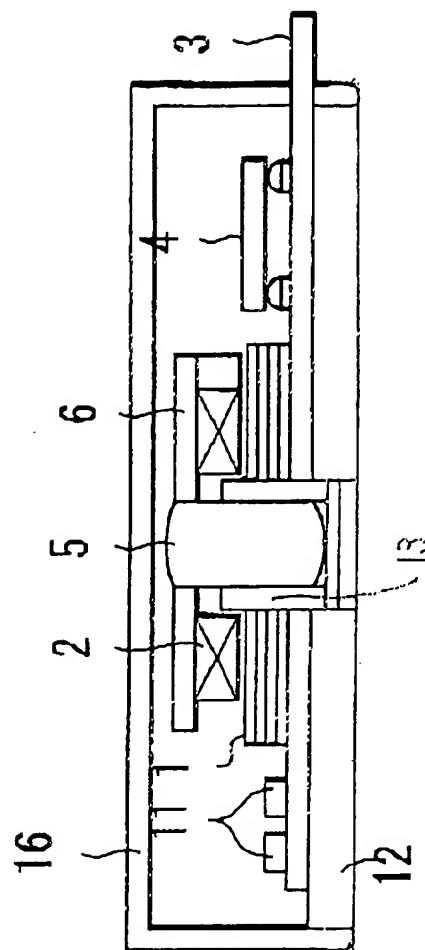
*sec.
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Same to FIG.10A to 10C



FIG.10C



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FIG.14A *Prior Art*

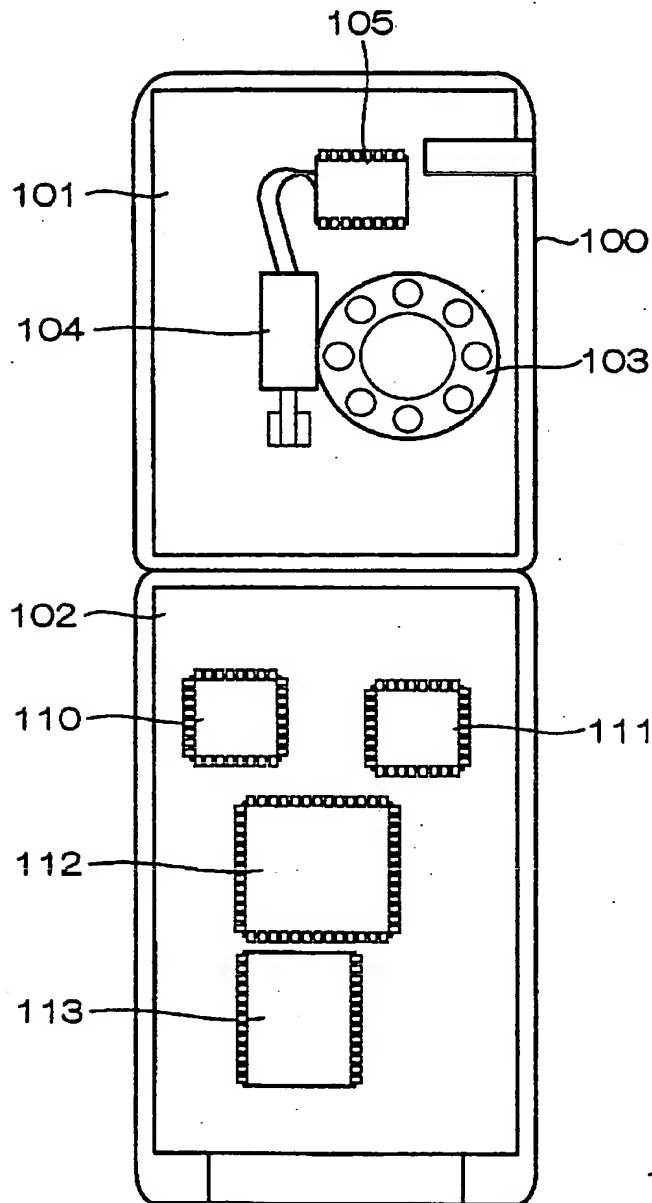


FIG.14B *Prior Art*

